

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated July 25, 2008. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-20 are pending in the Application. Claims 19 and 20 are newly added.

Applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents.

By means of the present amendment, claims 1-18 are amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A' and changing 'characterised by' and 'characterised in that' to --wherein--. Such amendments are not made in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claims 1-18 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Okayasu (U.S. Patent No. 6,285,692), in view of Thronton et al (U.S. Patent No.

6,574,257), and in further view of Maione et al. (U.S. Patent No. 4,019,048). It is respectfully submitted that claims 1-20 are allowable over the combination of Okayasu, Thronton and Maione, for at least the following reasons.

For example, with regard to independent claims 1, 7 and 13, it is respectfully submitted that the combination of Okayasu, Thronton and Maione does not disclose or suggest, a method or system for controlling a diode laser device which, amongst other patentable elements, comprises (illustrative emphasis added) 'supplying to the diode laser device ... at a predefined time before the predetermined turn-on time, a pre-bias signal, which has a magnitude less than the threshold value and extends for a time period, wherein the predefined time, magnitude, and time period of the pre-bias signal have values that are selected to tune an output power profile of the output optical signal to a desired profile,' as substantially recited in claims 1, 7 and 13.

In formulating the rejection of claim 1, for example, it is acknowledged on pages 2-3 of the Office Action that Okayasu does not disclose a pre-bias signal with a predefined time, magnitude and time period of the pre-bias signal determining a required output power profile of the output optical signal. Moreover, in

the Office Action, Thronton is not relied on as disclosing a pre-bias signal, and Thronton is seemingly devoid of any teaching related to a prebias signal for controlling a laser diode, as claimed. Therefore, in view of the above, it is seemingly undisputed that Okayasu and Thronton do not disclose or suggest, singularly or in combination, a pre-bias signal having a predefined time, magnitude, and time period which are selected to tune an output power profile of the output optical signal to a desired profile, as claimed in claims 1, 7 and 13.

Maione (FIG. 4, Col. 10, lines 35 - Col. 11, line 9) is cited as allegedly disclosing a pre-bias signal in which the predefined time, magnitude and time period of the pre-bias signal determine a required output power profile of the output optical signal. However, it is respectfully asserted that reliance on Maione in this regard is misplaced.

Maione shows in FIG. 4, a pre-bias, monitor and control circuit (406) which generates a pre-bias current on output lead (403) to control a laser diode (410). The pre-bias current is generated to have a magnitude that is slightly less than the value of the threshold current of the laser diode (410), wherein the magnitude of the prebias current is automatically adjusted to maintain a constant light pulse power output from the laser diode

(410) (i.e. maintain stability against temperature fluctuations and aging). The magnitude of the pre-bias current is automatically varied as a function of the difference between the feedback derived from a sample of the optical output power of the laser diode (410) and a signal derived from regenerated pulse stream on the input lead (302) (see, Col. 3, line 62 - Col. 4, line 5; Col. 10, line 65- Col. 11, line 61).

It is respectfully submitted that the method of claim 1 is not anticipated or made obvious by the teachings of Okayasu in view of Thronton and Maione. For example, Okayasu in view of Thronton and Maione does not disclose or suggest, a method that amongst other patentable elements, comprises (illustrative emphasis added) "supplying, to the diode laser device as the control signal and at a predetermined turn-on time, a bias signal having a value which exceeds the threshold value; and supplying to the diode laser device , as the control signal and at a predefined time before the predetermined turn-on time, a pre-bias signal, which has a magnitude less than the threshold value and extends for a time period, wherein the predefined time, magnitude, and time period of the pre-bias signal are selected to tune an output power profile of the output optical signal to a desired profile" as recited in

claim 1, and as similarly recited in each of claims 7 and 13. Maione merely discloses a pre-bias control signal having a magnitude that is less than the threshold current value. Indeed, Maione discloses nothing more than adjusting the magnitude of the pre-bias signal applied to a laser diode so as to maintain a constant optical pulse power output level from the laser diode.

Based on the foregoing, the Applicants respectfully submit that independent claims 1, 7 and 13 are allowable over Okayasu in view of Thronton and Maione, and notice to this effect is earnestly solicited. Claims 2-6, 8-12, and 14-20 respectively depend from one of claims 1, 7 and 13 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to

submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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